

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

Abigail Wingate

CASE NO. C07-00965 TEH

Plaintiff(s),

v.

Energy Investors Funds Group LLC
Long-Term Disability Plan

STIPULATION AND ~~PROPOSED~~
ORDER SELECTING ADR PROCESS

Defendant(s).

Counsel report that they have met and conferred regarding ADR and have reached the following stipulation pursuant to Civil L.R. 16-8 and ADR L.R. 3-5:

The parties agree to participate in the following ADR process:

Court Processes:

Non-binding Arbitration (ADR L.R. 4)
Early Neutral Evaluation (ENE) (ADR L.R. 5)
Mediation (ADR L.R. 6)

(Note: Parties who believe that an early settlement conference with a Magistrate Judge is appreciably more likely to meet their needs than any other form of ADR, must participate in an ADR phone conference and may not file this form. They must instead file a Notice of Need for ADR Phone Conference. See Civil Local Rule 16-8 and ADR L.R. 3-5)

Private Process:

Private ADR (please identify process and provider) Mediation

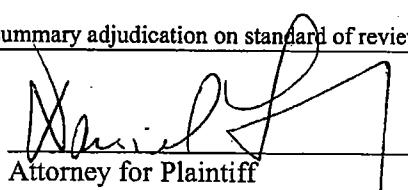
Magistrate Judge Edward Infante (Ret.)

The parties agree to hold the ADR session by:

the presumptive deadline (The deadline is 90 days from the date of the order referring the case to an ADR process unless otherwise ordered.)

other requested deadline following motion for summary adjudication on standard of review

Dated: 4/27/07


Attorney for Plaintiff

Dated: 4/30/07

s/ Sean Nalty
Attorney for Defendant

[PROPOSED] ORDER

Pursuant to the Stipulation above, the captioned matter is hereby referred to:

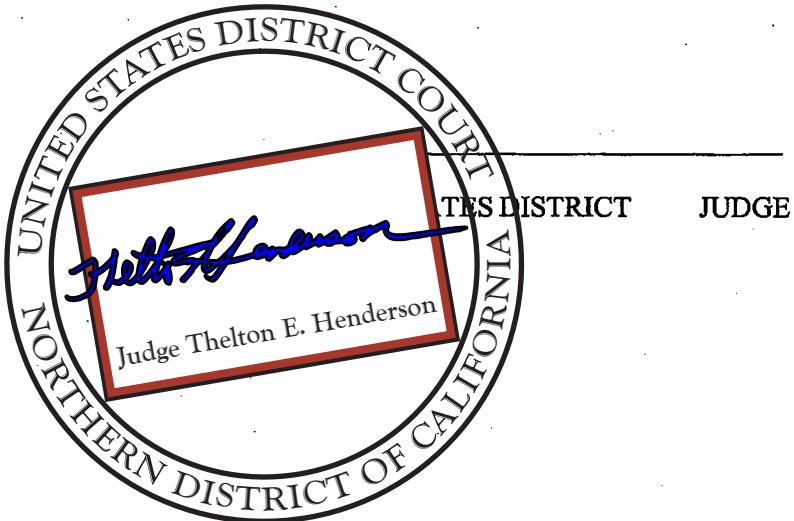
- Non-binding Arbitration
- Early Neutral Evaluation (ENE)
- Mediation
- Private ADR

Deadline for ADR session

- 90 days from the date of ~~this order~~, the Court's order deciding the appropriate standard of review.
- other

IT IS SO ORDERED.

Dated: 05/01/07



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IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

ABIGAIL WINGATE,) Case No. C07-00965 TEH
Plaintiff,)
vs.) **ATTESTATION OF CONCURRENCE
OF STIPULATION AND [PROPOSED]
ORDER SELECTING ADR PROCESS**
ENERGY INVESTORS FUNDS GROUP,) Hon. Thelton Henderson
LLC LONG-TERM DISABILITY PLAN,)
Defendant.)

I, Michelle Roberts, attest, pursuant to General Order No. 45, Rule X, that Sean Nalty concurred in the filing of this document.

Dated: April 30, 2007

s/Michelle Roberts
Michelle Roberts